App.F.IX-4

P.

1927-28.

File No. 4-27

Previous References (R.A.)

Serial Nos. 1 to 11.

Later references.

R.A 4-27-12 & 13.
" 4-27-16, 22, 25 etc
R.A. Dep. no 5/29-30.
CB. Dep no 44 of 30-31

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. Eleven

P2 45-E/K

Part B for November 1927.

SUBJECT

Appeal petition of mr. Dase Gowda, of malagur, Heggad-devankote taluk against the election of mr. Bellur Lakshminarayanappa as a member of the Rep. Assembly.

---

4) Do the D.C. mysore returning the records
" mr. Dase Gowda
" B. Lakshminarayanappa

G.O. no. Rel 216-78 dt 5.10.1927.

With reference to the appeal petition preferred by mr. Dase Gowda praying orders directing that neither he nor mr. B. Lakshminarayanappa can be declared as duly elected as both are guilty of corrupt practices and that the person who secured the next highest no. of votes should be declared as elected.

7) do the Gazetteer, mysore Gazette Notification no Rel 241 dt 17.10.27
Declaring mr. M. Subba Rao, landholder magge, Heggaddevankote as duly elected to R.A. vice mr. B. Lakshminarayanappa whose election was set aside in dl 4. above.

Ghulpillai 23/11/27 10) do the Comptroller & Asst. Secy. to D.C. mysore G.O. no Rel 283-84 dt 21.4.27
Directs that mr. B. Lakshminarayanappa may be paid T.A. for his journey from Bellur to mysore to attend the R.A meeting under the Ceremonies Dept & the G.O.

(G. R. S. 11) 1927-28

(1

GENERAL AND REVENUE SECRETARIAT.

(R A)

NOTES.

File No. 4 - 27

FILE HEADING.

Appeal petition of Mr. Dase Gowda of Malagur, Heggadadevankote Taluk against the election of Mr. Beltur Lakshmiranamappa as a Member of the R.A.

From

Mr. Dase Gowda residing at Malagur, Heggadadevankote

No. Petition Dated 15.8.27 Received 16.8.27 17

Diary No. 15 R.A	Enclos.	Spare Copies.	Serial No. 1

BRIEF ABSTRACT OF LETTER.

Appeals against the order of the Dy Comr. Mysore dt upholding the election of Mr. Beltur Lakshmiranamappa as a Member of the Repr: Assembly from Heggadadevan Taluk & requests for reasons stated that the election of Mr. Lakshmiranamappa may be declared invalid & he be declared elected

NOTES AND ORDERS.

1. Submitted.

2. Mr. Beltur Lakshmiranamappa was elected as a Member of the Representative Assembly from the Heggadadevankote Taluk in the election held on 12th & 13.3.27 having secured 1071 Votes, as stated by the petitioner

NOTES—First Sheet.

App. F. III—2]

General and Revenue Secretariat.

(2)

RA File No. 4 of 1927-8

Serial No.

Mr. Dase Gowda (the petitioner) one of the candidates who got 99 votes appealed against this election before the Dy Comr. Mysore who upheld the election of Mr. Lakshmiranganna

3 It is against this order, Mr. Dase Gowda has appealed on the following Grounds:—

(1) The Dy Comr has erred in holding that the petitioner failed to prove the corrupt practices of the

(2) The Dy Comr has completely ignored to discuss the evidence about the threat of injury indulged freely and openly by the opponent in keeping away voters from being recorded in a lawful manner

(3) The Dy Comr. lost sight of the significance of the screening arrangements in the polling room

(4) The Conclusion of the Dy Comr that the appellant petitioner was responsible for the feeding arrangements of the Belthur Lakshmiranganna

(5) There has been no finding re: failure of many voters to vote on account of the late announcement of Continuing the election on 13. 3. 27.

NOTE—Contn. sheet

GPB—6,000—30-3-27

App. F. III—2]

General and Revenue Secretariat.

15 / 4 Rev / 7-12 / Pet / 13

RA File No. 4 Rev of 1927

Serial No.

(6) The decision of the Dy Commissioner is opposed to law, Equity & the probabilities of the Case.

(7) The costs awarded are excessive

4 He therefore requests that the election of Mr. B. Lakshminarasappa be declared invalid & he be declared duly elected.

5 It seems therefore necessary to call for the records of the case, & go through them before passing Orders on the petition.

6. Draft is submitted for approval

18/8 19/8 RR 20.8.27.

The records may be called for

29/8

Secy (L-D)

7 June

29/8

2 Issued No. Rev. 130/R.A Encls. & papers

Dt 3-9-1927

3/9

3/9

3 From the Dy Comr. Nilgiris Dt Nr: D4-94-26 - D/22-9-27.

Forwards the entire records relating to the case, & states that all the points raised in the appeal petition have been discussed in his order D/12.7.27. & that the decn

NOTE—Contn. sheet

GPB—5,000—30-3-27

General and Revenue Secretariat.

46/Rd (4

RA—File No. 4 of 1927

Serial No.

Containing Voting Slips etc will be sent if required.
& Submitted for perusal & orders.

27/9 SR

1 The order of the Dy Comr is H: P.

27.9.27

2 The grounds on which the election was sought to be set aside are (1) Intimidation

(2) Secrecy was not observed at the place of voting

(3) The appointment provided for voters

(4) The panel can't live to voters.

(5) Proper assistance was not given to ~~voters~~. illiterate voters.

11 The D.C. has found that all these have not been established and dismissed the objection petition.

12 The D.C's Conclusions seem to be Correct on all the points except no. 4.

The evidence for the petitioner

NOTE—Contn. sheet

GPB—5,000—30-3-27

Serial No.

on this point is the testimony of Mrg Linggegneda and of Mrg Marimalleggneda. The D.C. says that Mrg is a relative of the Cumbi petitioner so his evidence is not believable. But the D.C. does not explain why Mrg Mrg Malleggneda should not be believed. no doubt Marimalleggneda says that the Cumbi petr was new to him this does not discredit his testimony. for a candidate need not necessarily be acquainted with all his voters. It cannot therefore be said that this allegation is not proved.

13 ~~Two~~ The evidence adduced for the Cumbi petitioner shows that Dasaggneda also was guilty of Corrupt practice. It will be seen from the evidence of D.W. 3, D.W. 4, D.W. 7 & D.W. 8 that Dasaggneda paid cash hire to voters.

NOTE—Contn. sheet

GPB—5,000—30-3-27

D 46/PEK

App. V. III—2]

General and Revenue Secretariat. File No. of 192

Serial No.

But there is no evidence to show that the persons who are reported as having taken money voted for Aseguda.

"Besides this question was not in issue.

15 It is therefore for consideration whether the evidence of Peg Malleguda does not prove Corrupt practice committed by Lakshminarayana.

(Sd) D

30/9

"16 The order of the D.C. cannot, I think, be upheld in view of the fact that the evidence of witnesses Nos 1 to 9 for the petitioner has not received that attention which is expected from a trying tribunal.

17 In fact D.C. has not even mentioned a word about the testimony of P.W. 9 who swears that he was paid one rupee for his vote by the opponent on the ground of his inability to go on foot to the Polling-Booth owing to pain in his leg. There is nothing in his cross-examination to indicate that he is a false witness.

NOTE—Contn. sheet.

WD 0321—GPB—60,000—24-5-27

General and Revenue Secretariat. File No. 4 of 1927

Serial No.

D. C has rejected the evidence of P.W. 8 on the ground that he is a relative of the petitioner. The fact that this witness has not chosen to record his vote for the petitioner shows that he is not interested in him.

16. Hence the fact of his being a relative will not amount to such an interest as to presume that he has given false evidence.

19 The testimony of these two witnesses, if believed, proves corrupt practice on the part of the opponent.

20. D.C. has not touched upon the testimony of witnesses examined by the opponent to prove that the petr was guilty of corrupt practice.

21 C.W. 2. Counter-Petr admits that he was prosecuted in 1910 for assaulting a public servant & was fined Rs 25/-

C.W. 3 swears that the petr paid rupee one to each of the voters. He is a respectable person paying Rs 240 as kist & seems to be a disinterested witness.

C.W. 4. Swears that he received one rupee from the petitioner for his cart hire.

C.W. 7 swears that the petr gave a [illegible] tree from a temple & asked to vote for him on that account.

NOTE—Contn. sheet

WD 0321—GPB—60,000—24-5-27

D 46/REh

App. F. III—21

General and Revenue Secretariat. File No. 4 1/10(27) of 1927

Serial No.

There is no valid reason to disbelieve the testimony of these witnesses.

22. From the probabilities of the case & the evidence recorded it appears that both the petitioner & contestant are guilty of corrupt practice in that they have given cash hire to voters who voted for them.

23 Govt may perhaps consider it fit to set aside the election. ~~If the next candidate who has secured to be seated~~ If this view be accepted either the next candidate who has secured the largest no. of votes, be declared elected or order a fresh election.

3rd member 1/10/27.

24 I agree. The candidate who has obtained ~~of~~ the next largest no of votes may be declared elected.

CSB 4.10.27

Dewan. 25 I agree - that a fresh election. MD 3-10-27

3/10

3.10.27.

4/10

NOTE—Contn. sheet

DEWAN'S OFFICE. Received on 3 OCT. 1927 Reg. No. 2411.

OFFICE OF THE THIRD MEMBER OF COUNCIL. 2 OCT. 1927 No. 2958

WD 0324—GPB—60,000—24-5-27

46 Rel

(9

App. F. III—2]

General and Revenue Secretariat. RA File No. 4 of 1927

Serial No.	
	U. Draft Go And Acc endorsement submitted for approval
	4/10
	Seq 2-D) 5/10
	29 app 5/10.
	30 Mc 5/10
	29 The rec'd draft 5/10
	Subaird 5/10
	U. Typed drafts are put up as directed -
	By 5/10/27 5/10
4	To the D.C. mysore returning the records of Lakshminarayanappa & Dasa Gowda. No. Rel 216-28 dt 5.10.27. Directs that neither Mr. Lakshminarayanappa nor Mr. Dasa Gowda can be considered as duly elected since both of them are guilty of corrupt practices and that the candidate who secured the next highest no. of votes may be declared as duly elected and requests the D.C. mysore to report the name of that Candidate and direct him to attend the sittings of the Assembly.
5	To Mr. Lakshminarayanappa & memo no. 219 dt 5.10.27 Informs that Govt have passed orders declaring his election invalid and that he need not therefore attend the sittings of the Assembly. Memo no. 220-1 dt 5.10.27. Copy to D.C. mysore " Mr. Dasa Gowda.

NOTE—Contn. sheet

6/10/27

WD 0321—SPB—60,000—24-5-27 Ch Subbd

5.9
Rel

App. F. [III—2]

General and Revenue Secretariat. R.A File No. 4 of 192 7-8.

10

Serial No.

31 Subbe with a draft reminder for approval.
32 issued
9/10.
9/10

Issued no Rel 235 & 10/10/1927

6 From the Dr Comr Mysore Dt
No B4 94/26 & 10. 10. 27.
In reply to Sl: 4 states that Mr Magge Subba Rao secured the next highest Number of Votes & that he will be declared as duly elected as desired & that Mr Subba Rao has been requested to attend the current Session of the L.C.

1st Submitted.
Mr M. Subba Rao, the candidate who secured the next highest number of votes has to be declared as duly elected vice, Mr B. Lakshminarayya whose election has been declared invalid.
35. It seems Mr M. Subba Rao took his seat as a Member of the Assembly & attended the RA Sittings today under the Orders of the Dr Comr Mysore Dt

2nd Submitted with a draft for approval
notice &

10/10. Secy (L-D)

OFFICE OF THE THIRD MEMBER OF COUNCIL
OCT 1927
3241

NOTE—Contn. sheet

WD 0321—GIPB—60,000—24-5-27

3rd Draft may be approved
10/10

4th 12/10

5th 12/10

Secy (L-D)

App. F. III.

11

General and Revenue Secretariat. | R/A File No. 4 of 1927.

Serial No.

DEWAN'S OFFICE.
Received on
13. OCT. 1927
Reg No. 2548

Dewan) 13.10

14-10-27

Submitted

14.10.

May this issue?

14-10-27

15/10/27

17/10

7 To the Commissioner, Mysore Gazette
Notifn. no Rel 241 dt 17.10.27
Declares Mr. M. Subba Rao, Landholder
Magge as duly elected to the R.A from the
Hoggadevankote rural constituency vice
Mr. B. Lakshminarayanappa whose election
was declared invalid in Sl 4 above.
No. 242 copy to D.C. Mysore.

8 From The Belthur Lakshminarayanappa
Petition dt 7.10.27
Forwards a revision petition against
the order of Govt No Rel 219/RA 1927-8
dt 5.10.27 declaring his election ... void

NOTE—Contn. sheet

WD 0321—PB—60,000—24-5-27

General and Revenue Secretariat. R.A. File No. 4 of 1927.

(12)

Serial No.

And requests that the Govt may be pleased to call for the entire records at once & revise the order under review & prays further that the order now issued may be recalled & the petitioner allowed to attend the sessions of R.A. pending decision of the application.

9. From Mr. Balthus Lakshminarayana Letter dt. 10.10.27

States that in accordance with the orders he came to Mysore on 7.10.27 and at 10 a.m. on that day he was given a copy of the order to the effect that his last year's election had been invalidated; that he has preferred a revision petition and requests that he may be paid Travelling allowance for his journey from his place to Mysore.

is submitted

10. Mr. Balthus Lakshminarayana has sent in a revision petition against Govt No. Rel 219/RA 4-27-5 dt. 5.10.27 declaring his election as a Member of the Assembly invalid on the following grounds:—

1) That there is absolutely no evidence of on record to prove the alleged corrupt practices against him

NOTE—Contn. sheet

(13)

General and Revenue Secretariat. CA File No. 4 of 1927.

Serial No.

2) The applicant was not even served with a notice of the appeal preferred by Mr. Dasgowda.

3) That the Dy Comr had shown that the allegation of Mr. Dasgowda about Corrupt practices were false & frivolous & that if an opportunity had been afforded he would have shown that there was absolutely no ground for coming to the present conclusion.

4) That the finding of Government so far as the practices of Mr. Dasgowda is concerned is undoubtedly correct

5) That Govt have not had the opportunity to bestow any judicial mind to the evidence on record & have been misled by the misrepresentations of facts.

6) Even assuming the findings of such in the L.C. to be correct the proper order According Rules, would be to direct a re-election.

42 He therefore prays that the entire records may be called for & once & the order now passed revised.

43 He also requests that he may be paid the travelling allowance for his journey to Mysore on 27/10/27 as he states he was given copy of the order setting aside his election on 7/10/27 at 6 P.M.

NOTE—Contn. sheet

WD 0324—GPB—60,000—24-5-27

361
61/xxx

App. F. III—2 14

General and Revenue Secretariat. R II File No. 4 of 1927

Serial No.

Dr. G. Subramaniam that the order invalidating his election was issued to him through our appointee to his Mapore address [illegible] and that it was also sent to him through post also. [illegible] on 5/10/27 & he was also given a copy of the order on 7/10/27 - when he attended the Camp Office.

In these circumstances, it is worth for consideration whether Asst. J.A. is allowable to him

Para 4 (Vide page 16 of the correspondence portion)

This may be marked separately

4 S It is also for orders, if it is necessary to call for the records of the case which have been returned to the Deputy Commissioner Mayuram

19/10 Secy (I-D) 1/11

46 His T.A. may be paid.

47 Review may not be admitted perhaps 3rd time

1.11

46 Agree 1.11

9/11

10/11

10/11

A draft Go and an endorsement are submitted for approval

17/11 Secy (I-D) 19/11

Agree

19/11 19/11

OFFICE OF THE THIRD MEMBER OF COUNCIL
2 NOV. 1927
No. 3883

NOTE—Contn. sheet

W.P. 2324—GPB—60,000—24-5-27

D-61/R.Ex
23-11-27

General and Revenue Secretariat. A.A File No. 4 of 1927-28.

Serial No. 10

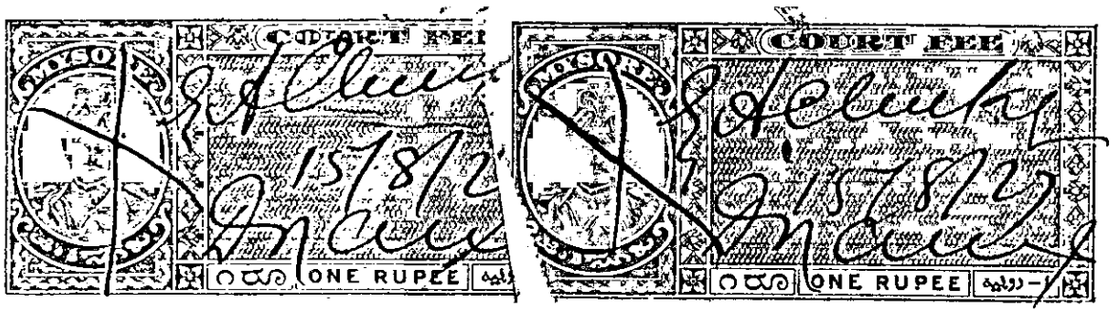
To the Comptr to Govt
" D.C [illegible] Mysore Dist
copy to mr. Ballur Lakshminarayanappa.

G.O. no RC 283-4 dt 21-11-27
Directs that t.a. admissible to
R.A members may be allowed to mr. B Lakshminarayanappa from Ballur for his journey to Mysore to attend the R A meeting on 7.10.1927. in view of the circumstances referred to in 8 9.

11 To mr. Ballur Lakshminarayanappa, Ballur Hegga dev kote
Endt. no. Rel 286 dt 22.11.27
With ref to his service petition (Sl 8) informs that Govt do not find any grounds to review the orders passed in the matter.

NOTE—Contn. sheet

WD 0324—3PB—60,000—21-5-27



OFFICE OF THE SECRETARY
16. AUG. 1927
REPRESENTATIVE ASSEMBLY
AND
LEGISLATIVE COUNCIL

Before the Government of His Highness
The Maharaja of Mysore.

RA 4-27-1

Election Appeal No. of 27-28.

Appellant. (Petitoner).

Dase Gowda. Son of Gope Gowda. By Caste, Namdhari Gowda, residing at Malayur, in Heggadadevanakote Taluk, Mysore District.

Vs.

Respondent. (Opponent).

Lakshninaranappa. Son of Naranappa. By Caste Brahmin, Residing at Kuntana Bela-thur, Heggadadevanakote Taluk.

****

At the recent election of the members to the Repre-sentative Assembly, held on 12 & 13th March 1927.at Heggadadevanakote & Hampapur in Mysore District Dt. the Respondent was declared elected. The Appellant got 99 Votes and the Respondent got 101 votes. But since the Respondent had practised various corrupt practices the Appellant applied to the Deputy Commi-ssioner of Mysore in Mis.No. 51 of 26-27 on his file

and prayed that the Election of the Opponent be declar-
-ed invalid and that the Petioner-Appellant be duly elec
-ted. But on 12-7-27. the Learned D.C. passed an order
dismissing his Petition with costs and now the Appe-
-llant begs to prefer this Appeal under Sec. 6.(2) and
the Rules framed thereunder and begs to urge the follow-
-ing among other grounds in support thereof:-

I. The Learned D.C. erred in holding that the Appe-
-llant failed to prove the Corrupt Practices of
the Respondent.

II. The learned D.C. has completely ignored to dis-
-cuss the Evidence about the threat of Injury in
-dulged freely and openly by the Opponent in keep-
-ing away votes from being recorded in a lawful
manner.

III. The Learned D.C. has entirely lost sight of the
significance of the screening arrangements and
that no Voter complained of the arrangements re-
-frred to in his order falls far wide of the crux
of the Rule in question.

IV. The Learned D.C's conclusion that the Appellant
was responsible for the feeding arrangements of
the opponent is incorrect especially in view of
the Evidece of Eye Witnesses.

V. There has been no finding attempted to be arrived
at, with regards to the failure of many voters to
vote on account of the late announcement of contin-
-uing the Election on 13-3-27.

VI. The Decision of the Learned D.C. is opposed to
Law, Equity and the probability of the Case.

VII. The Costs awarded are excessive.

For these and other reasons it is earnes-

-ly prayed that the Govt. be pleased to declare the Election of the Opponent-Respondent invalid and declare the Appe--llant duly elected.

ಸಹಿ-ಕ

A. Abdul Razzaq
Advocate
Mysore

To the best of my knowledge and belief I declare the above to be true and correct.

Dated: 14-8-27.

ಸಹಿ-ಕ

N.B. The present Appeal has been espatched on the 30th day after the passing of the order appealled against excluding the time for obtaining the copy of the order.

Abdul Razzaq
ADVOCATE.

15-8-27.

In the Court of the Mysore

OF

Appeal Case No.....of 1927-1928.

M.S. 51 of 26-27 on the file of the D.C. Mysore

Plaintiff	Defendant
Appellant petitioner	Respondent. opponent.

VS

I, ...D.....the ...Appt..... above named do, by these presents retain Mr. **A. Chennakesavaiya B. A. B. L. Advocate** to appear for and conduct the adove case on ...my...behalf to Judgment.

2 ...I.....further empower him to execute any decree, or order that may be passed in ...my...behalf, and to receive from court such sums of money as ...I... may be entitled to get and to grant receipts therefor.

3. ...I... also undertake to confirm and ratify all the legal acts done by the said Advocate in so doing

Dated...14...8.....1927

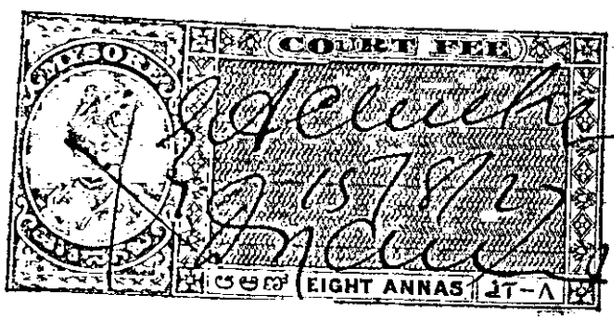
Accepted

Abhinanda Rao Avaiya
Advocate
Mysore

Signed before me
and personally known to me.

ATHENÆUM PRESS, MYSORE.

Abhinanda Rao Avaiya



In the Court of the Deputy Comm
Mysore District

(5)

Miscellaneous Case No 51 of 1926-27

Petitioner	Vs	Opponent
Dasagowda		Lakshmmaraiaffa
Moleyur		Beltur

Order

I have heard, recorded and read the evidence, considered the circumstances of the case and heard the arguments on the main point The contention of the petitioner as urged in the evidence is fourfold

(1) that the opponent secured votes by threats

(2) That the voting arrangement were unsatisfactory as one could see the voter at the time of marking of votes from the outside through the window.

(3) That the opponent provided

food for the voters and paid cart hire.

and (4) that proper assistance was not given to illiterate voters and therefore the petitioner might have lost his supporters' votes and they might have gone to the opponent.

On the first point, the evidence is interested and discrepant. The opponent also has examined a number of witnesses to prove the contrary. This contention is not proved.

The second is fanciful. As pointed out by P.W. 7, no one attempted to see through the window. The petitioner has not addduced enough that any one

attempted to do so and there has been no complaint about want of secrecy from any voter.

The third allegation is in two parts. It is rather curious that the opponent should have employed the petitioners castemen as cooks for feeding the voters and that the opponent also took his meal there. It is also discernible that the alleged Cooks P.W. 2 and 4 should belong to the opponent's village and the neighbouring village, while the petitioner is from quite a different tract. The petitioners and the Cooks are Nam-dhari Gowdas, while the opponent is a Brahmin. C.P.W. 6 says that Das a Gowda arranged the feeding and this is more probable.

The second part of the third allegation is spoken to only by P.W. 8. Linga Gowda who admits that he is a relative of the petitioner.

In support of allegation 4, the petitioner has adduced the case of P.W. 5 Mari Kisa Gowda. (Voter No 496). I have examined his voting paper. It is properly marked and assistance given to him being illiterate is certified. I may add that his vote is not marked for the opponent but for the petitioner and another and Therefore there has been no malpractice and this allegation is not proved.

For the above reasons, I hold that the petitioner has not proved his case.

I dismiss this petition and direct the petitioner to

pay the opponents' costs in the case.

Advocates' fee. Rs 30/-

In open Court

sd) A.V. Ramanathan
12/7/1927

Deputy Commr
Mysore

'Copy'
Mysore
For Deputy Commissioner
Mysore

Copy applied on 7th August 27
Copy ready on 10th August 27
Copy delivered on 10th August 27
Copied by N Krishnaswamy 2—
Compared by: KSRamarao
No of Words. 439
Copying fee 0-10-0
Comparing fee 0-2-6.

10

APP. F. VI. Gl.]

SUBJECT Forwards the petition of Mr. Dase Gowda of Heggadadevankote for inquiry with records

Section RA

File No. 4-27

Seria No. 2

Diary No. of letter replied to 75 Rel

No. REh. 130/R.A

Encls. 5 papers

To The Deputy Commr

Mysore

General and Revenue Secretariat

(RA)

the 192

Date of issue 3/9/27

Signed by P. Singaracharya

Assistant

Sir,

In forwarding herewith the petition for ~~inquiry into the~~ Reg'd No. 75 dt 15.8.27 (with its enclosures) from Mr. Dase Gowda residing in Malenjur, Heggadadevankote Tk appealing against your Election Case decision in Mis 51 of 26-27 upholding the election of Mr. Bellia Lakkanna as a Member of the Rep. Assembly from

List of enclosures

Co by

Examined by

over

the Heggadadenanikota
Taluk, I am directed
to request that the
entire records relating
to this election may also be
sent to this office very
early.

Yours faithfully
[illegible]
20/8/27
for Secretary to Govt
Law Department.

20.8.27.

In reply please refer to this No. D.4..94-26.

Office of the Deputy ssioner,
Mysore Dis

Dated, Mysore, 22nd September 1927.

FROM

A. V. Ramanathan, Esq., B.A.,
THE DEPUTY COMMISSIONER,
MYSORE DISTRICT.

To

B. Nagappa, Esq., Bar-at-Law.,
Legal Remembrancer and
Secretary to the Government
of Mysore, Law Department,
Bangalore.

SIR,

Appeal - Representative Assembly Election - Heggadadevankote Taluk.

With reference to your letter No. Rel. 130/R.A. dated 2nd September 1927 regarding the appeal of Mr. Dasa Gowda of Malayur, Heggadadevankote Taluk against the order of this Court in Miscellaneous Case No. 51 of 1926-27 on the file of this Court, I have the honour to forward herewith the entire records relating to the case and to state that all the points raised in the appeal petition have been discussed in my order dated 12th July 1927.

The box containing Voting Slips etc., will be sent, if required.

I have the honour to be,

Sir,

Your most obedient Servant,

Deputy Commissioner,

Mysore District.

(13 -- R.A 4-27-4

Proceedings of ~~the~~ Government of His Highness the Maharaja of M y s o r e.

.....

R e a d--

Petition dated 14th August 1927, from Mr. Dase Gowda, Son of Gope Gowda, residing at Malayur in Heggadadevanakote Taluk appealing against the order of the Deputy-Commissioner, Mysore District upholding the election of Mr. Belathur Lakshminaranappa as a member of the Assembly and requesting that the Deputy Commissioner's order be set aside, and he be declared elected.

2. Correspondence ending with his letter No.D4-94-26 dated 22nd September 1927 ~~from~~ forwarding the entire file of records - connected with the enquiry leading to the order declaring Mr. Belathur Lakshminaranappa as duly elected.

Order thereon:- 218-18 Dated 5th Octr. 1927.

On a perusal of the records and a careful consideration of the facts of the case, - Government are of opinion that both Mr. - Belthur Lakshminaranappa and Mr. Dase Gowda are guilty of corrupt practices and therefore under Rule 6(a) issued under notification No.P.2400-Legis -12-23-7 dated 7th - November 1923 ~~the election of~~ the matter Mr. Belthur Lakshminaranappa ~~and~~ not Mr. Dase Gowda ~~are~~ can be declared ~~invalid~~ Delegated and the person who has secured the next highest number of votes should be - declared as elected.

2. The Deputy Commissioner is therefor requested

requested to report at once the name of the candidate who has secured the next largest number of votes with his occupation and address to this office, ~~and direct him to attend the sittings of the Assembly.~~ & direct him to attend the sittings of the Assembly.

5/10

SECRETARY TO GOVERNMENT,
LAW DEPARTMENT.

To

The Deputy Commissioner, Mysore -
District returing the records.
Mr. Lakshminaranappa,
Mr. Dase Gowda.

(15) R.A 4-27-5

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA

OF MYSORE.

General and Revenue Secretariat,

Rel 219.

Bangalore, Dated 5th October 1927.

To

Mr. Belthur Lakshminaranappa,
R.A.Member, Heggadadevanakote Taluk
C/O Mr. C. Narasimhaiya, Advocate,
Lakshmipuram, MYSORE.

With reference to the appeal petition preferred by Mr. Dase Gowda residing at - Malayur, Heggadadevanakote Taluk appealing against the order of the Deputy Commissioner, Mysore District upholding his - (Mr. Lakshminaranappa's) election as a member of the Assembly from the Heggadadevanakote ~~Taluk~~ rural constituency and requesting that he (Mr. Dase Gowda) be declared elected, Mr. Belthur Lakshminaranappa is informed that Government have - passed orders (copy enclosed) declaring his election ~~to be~~ invalid. He is therefore requested not to attend the Assembly.

By Order,

5/10

SECRETARY TO GOVT.,
LAW DEPARTMENT.

Memo No. Rel 220-21 Dated 5th October 1927.

Copy of the above is forwarded to

(1) Mr. Dase Gowda for information,

(2) the Deputy Commissioner, Mysore - District, for information.

By order,

SECRETARY TO GOVT.,
LAW DEPARTMENT.

No: RCh 219/R A

16

Encl: nil

Sri. Bellur Lakshminarayanappa,
C/o. Sri. C. Narasimhaiya,
Advocate,
Lakshmipuram,
Mysore

From:-
The R. A. (H.C.), Sreekantaiah.
Office, Date 5-10-27.
Mysore

APP. F. VI. 61.]

UBJECT..... 17

.....

Immediate

Section

File No.

Serial No.

Diary No. of letter replied to .. ..

No. REh. 2351

General and Revenue Secretariat

( )

the *192*

To

D. C. Mysore

.....

Sir,

Date of issue 19.10.27

I am directed to invite reference to G.O. No. Rel 216-R dt 5-10-27. directing that neither Mr. Dasa Gowda nor Mr. B. Lakshmi Narayappa can be declared considered as duly elected from the Heggadevankote rural Constituency and that the person who secured the next highest no. of votes should be declared as duly elected and to request that the name of the candidate may be reported to this office at once, and he be directed to attend the sittings of the Assembly as directed therein.

I have etc.

Signed by ..... N. Devaraj

List of enclosures..... .....

Copied by..... .....

Examined by .....

over

WD 0562 -GPB—31,000—17-8-25

for Secy to Govt
Law Dept

D1. 94/26. 59 Rel

Office of the Deputy Commissioner,
Mysore District,

Dated Mysore. 10th October 1927

R.A 4-27-6.

FROM A.V. Ramanathan, Esq., B.A.,
THE DEPUTY COMMISSIONER,
MYSORE DISTRICT.

To

B. Nagappa, Esq., Bar-at-law.,
Ex-Officio Secretary to Government,
Representative Assembly and
Legislative Council,
Camp Mysore.

Sir,

With reference to your letter No. 235/Rel. dated 10th October 1927, enquiring the name of the candi-date who secured the next highest number of votes, barring Messrs. Dase Gowda and B. Lakshminaranappa, in the recent Representative Assembly elections of Heggadadevankote, I have the honour to state that Mr. Magge Subba Rao secured the next highest number of votes. He will be declared as duly elected as desired. I have also requested him to attend the current session of the Representative Assembly,

I have the honour to be,
Sir,
Your most obedient servant,

Deputy Commissioner,
Mysore District.

APP. F. VI. Gl.]

19

SUBJECT.....

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Ah

Section RA

File No. 4-27.

Seria No. 7

No. & date of Notification No. R/Leh-241

Diary No. of letter replied to..... 59 Rel

To

.....

General and Revenue Secretariat

( )

the 192 P 84 Vol I

Date of issue 17/10/27

Signed by Mr. B. Nagappa

Under Rule 6(a) of the rules issued under Notification No. P 2400 - Legis 12-23-7 Dt/ 7th November 1923 Mr. M. Sabba Rao, Landholder, Mazge, Heggadadevankote Taluk has been declared duly elected as a member elected from Heggadadevankote Rural Constituency to the Rep: Assembly Vice Mr. Bellthur Lake Nanjaraj Whose election has been set aside ~~declared invalid~~ in Govt order No. 216-18 Dt/5.10.27.

By order

RA 4-27-4

over

WD 0562—GPE—31,000—17-8-25

Secretary to Govt

Law Department

To The Comptroller, Mysore Gazette

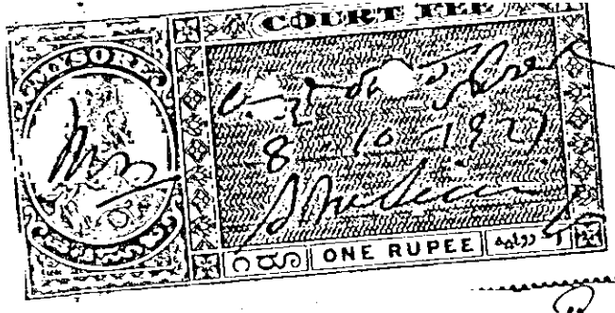
for publication in the Gazette
of the with a request that
150 copies of the same may be
caused to be sent to this office.

Memo No. REV-42 dt. 17.10.27

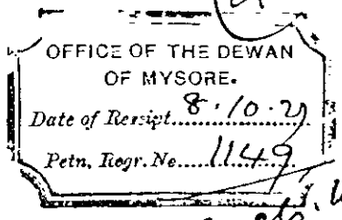
Copy of the above is
forwarded to the Dy Comr
Mysore for information
with reference to his letter
No. D4 94/26 dt/10.10.27

By order

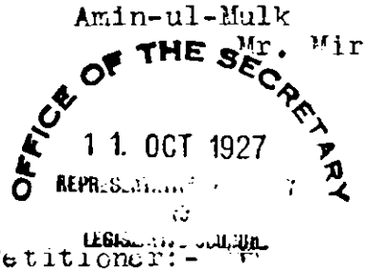
For Secretary to Govt
Law Department



D 61/Rev (21)



R.A 4-27-8.



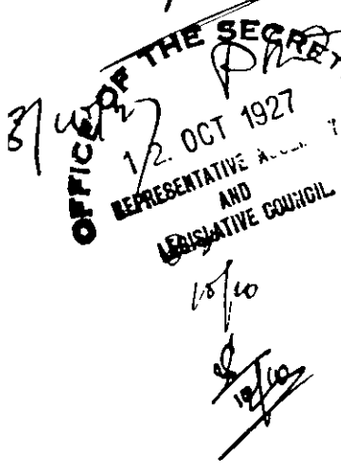
Amin-ul-Mulk
Mr. Mirza M. Ismail, B.A., C.I.E., O.B.E.,
President in Council and
Dewan of Mysore,

(CAMP) M Y S O R E.

Petitioner:-

B. Lakshminaranappa,
R.A. Member, Heggadadevahakote Taluk,
Resident of Belture,
C/O
C. Narasimhiah, Esqr. B.A.B.L.
Advocate, M y s o r e.

Secretary
R A to be with
Compliments
Bo



Most respected Sir,

The petitioner abovenamed most loyally and respectfully begs to submit this revision petition against the order of Government No. R.E.B.219 /R-A-4-27-5 dated 5th October 1927, declaring the election of the petitioner as member of the representative Assembly invalid for the following among other good grounds:-

(1) That the petitioner was elected as R.A. member from Heggadadevanakote Taluk and one Mr. Dase Gowda contested the election and file Mis. No. 51 /26-27 before the Deputy Commissioner and the Deputy Commissioner after detailed enquiries dismissed the said Mis. No. 51 /26-27 with costs giving judicial mind to the matter.

(2) That the applicant received to-day to his great surprise and regret order No. R.Eb 219 R.A.4-27-5J. 5th October 1927 referred to above asking him not to attend the Assembly Session that the election of both the petitioner and Dase Gowda was invalid owing to alleged corrupt practices.

(3) That there is absolutely no evidence on record to prove the alleged corrupt practices against the applicant as found by the Deputy Commissioner who tried the case.

(22)

(4) That the applicant was not even served with a notice of the appeal preferred by Mr. Jase Gowda, was not given a hearing to support his case and the finding of the Deputy Commissioner that the fundamental procedure of law and policy of administration of justice, Viz. that no man should be condemned without being heard has been violated in this case and thus has caused a painful miscarriage of justice.

(5) The Deputy Commissioner has shown that the allegation of Mr. Jase Gowda about corrupt practices were false and frevilous. If an opportunity had been afforded to the petitioner he would have shown that there was absolutely no ground for coming to the present conclusion.

(6) That the finding of the Government so far as the practices of Mr. Jase Gowda is concerned is undoubtedly correct as the same is proved amply by the evidence on record and rightly found by the Deputy Commissioner in his order referred to above.

(7) That the government have not had opportunity to bestow any judicial mind to the evidence on record and have been misled by the misrepresentations of facts and probabilities of the case.

(8) That assuming the findings of fact in the Government order to be correct the proper order according to the rules would be to direct a re-election.

(9) That the order sought to be justly revised is unjust and illegal.

That for the above reasons the applicant most

(23

most loyally and humbly begs to submit that the Government may be pleased to call for the entire record at once and revise the order under review and do justice and further prays that the order may be re-called and allow the petitioner to attend the Sessions of the Representative Assembly pending decision of this application.

Note:-
A copy of the Government Order
Dated 5-10-1927 and received
on 7-10-1927 at 10 A.M. is
herewith produced.

Mysore,
7th October 1927.

Petitioner.

Government of His Highness the Maharaja of Mysore.

General and Revenue Secretariat,

No.Rel219. (Camp) Mysore, Dated 5th October 1927.

To

Mr. Belthur Lakshminaranappa,
R.A.Member, Heggadadevanakote Taluk,
C/O Mr. C. Narasimhaiya, Advocate,
Lakshmipuram, Mysore.

With reference to the appeal ~~petition~~ petition preferred by Mr. Dase Gowda residing at Malayur, Heggadadevanakote Taluk appealing against the order of the Deputy Commissioner, Mysore - District upholding his (Mr. Lakshminaranappa's) election as a member of the Assembly from the Heggadadevanakote ~~Taluk~~ rural - constituency and requesting that he (Mr. Dase Gowda) be declared elected, Mr. Belthur Lakshminaranappa is informed that Government have passed orders (copy enclosed) declaring his election invalid. He is therefore requested not to attend the Assembly.

By Order,

(Sd) B. Rajappa

SECRETARY TO GOVERNMENT,
LAW DEPARTMENT.

Copy

For Secretary

Proceedings of the Government of His Highness the Maharaja of Mysore.

R e a d.- Petition dated 14th August 1927 from Mr. Dase Gowda, son of Gope Gowda, residing at Malayur in Heggadadevankote Taluk appealing against the order of the Deputy Commissioner, Mysore District, upholding the election of Mr. Belathur Lakshminaranappa as a member of the Assembly and requesting that the Deputy Commissioner's order be set aside, and he be declared elected.

2. Correspondence ending with his letter No. D.4-94-26 dated 22nd September 1927 forwarding the entire file of records connected with the enquiry leading to the order declaring Mr. Belathur Lakshminaranappa as duly elected.

- - - - - - - -

Order thereon No. 216-18 dated 5th October 1927.

On a perusal of the records and a careful consideration of the facts of the case, Government are of opinion that both Mr. Belathur Lakshminaranappa and Mr. Dase Gowda are guilty of corrupt practices and therefore under Rule 6 (a) issued under Notification No.P. 2400/Legis 12-23-7 dated 7th November 1923 neither Mr. Belthur Lakshminaranappa nor Mr. Dase Gowda can be declared duly elected and the person who has secured the next highest number of votes should be declared as elected.

2. The Deputy Commissioner is therefore requested to report at once the name of the candidate who has secured the next largest number of votes with his occupation and address to this office, and direct him to attend the sittings of the Assembly.

(Sd) B. Nagappa

SECRETARY TO GOVERNMENT,
LAW DEPARTMENT

To

The Deputy Commissioner, Mysore.District returning the records.
Mr. Belathur Lakshminaranappa
Mr. Dase Gowda.

Copy

26

Address

For Secretary

RA

W-361

13.10.21

R.A 4-21 (2)

10/10.

2 M & S 15 (28)

G.R..S VI G 34]

SUBJECT.....

.....

.....

Diary No. of letter replied to... 361

General and Revenue Secretariat

( )

, the *192* .

Date of issue.....

Signed by.....

May this be

i Printed ?

ii treated as a standing order ?

iii published in the Gazette, English Part ?

iv translated ?

v placed at the disposal of the press ?

vi published in the Gazette, Kannada Part ?

Section RA

File No. 4-27

Serial No. 10

Proceedings of the Government of His Highness the Maharaja of Mysore.

Read— Government order No. 216-18 RA 4-27-4 dt 5.10.27 declaring the election of Mr. Belthur Lakshmiarama Member of the Representative from Heggadadevankote Taluk as invalid on the ground of corrupt practice.

2. Petition dated 10.10.27 from Mr. Belthur Lakshmiaraiah stating that the Government Order Thereon No. order declaring his election as a Member of the Assembly as invalid reached him on 7th October 1927 at Mysore where he had gone to attend the Meetings of the

Dasara Session of the
Assembly and requesting
that he may be allowed
Travelling allowance for
his journey to Mysore
from Belthur, his place
of residence, in Heggadadevan-
Kote Taluk.

29

REh 283-84/R.d.

Order thereon No. 1 dt 21.10.29

Under the circumstances
stated above, Government
are pleased to allow
Mr. Belthur Lakshmiaramappa
Travelling allowance at the
rate admissible to R.A. members,
for his journey from
Belthur (Heggadadevankote Taluk)
to Mysore.

List of enclosures.

Secretary to Govt
Law Department

Copied by

Examined by

To The Comptroller to the Govt
The Deputy Commissioner Mysore Dt
Copy to Mr. Belthur Lakshmiaramappa
(C/o Mr. C. Narasimha B.A.B.L.
Advocate Mysore) Forwarded

AVP 1853—6178—1,000.00—21-12-21

APP. F. VI. Gl.]

SUBJECT.....

Section Rev

File No. 4-27

Seria No. 11

No. Rev. 286/R.4

Diary No. of letter replied to.....61 Rev

To Mr. Belthus Lakshmanaraya

Landlord

Belthus

c/o Heggadadevankote

c/o Narasimiah & Ba Bl

Advocate Mysore

General and Revenue Secretariat

( )

the *192*

Date of issue 22:11:27

Signed by Mr. T. Singaravel

Addl Under

In reply to his petition

dt 7th October 1927 praying

for a review of the Govt order

No. Rel 219/R.A 4-27-5 dated

5.10.27 declaring his election

as a Member of the Dept

Assembly from the Heggadadevan

Kote Taluk invalid on the

ground of corrupt practice,

Mr. Belthus Lakshmanaraya

is informed that Government

List of enclosures.....

Copied by.....

Examined by.....

over

WD 0562—GPB—31,000—17-8-25

(31)

To not ~~Consider it necessary~~ and any grounds
to advise the Governor to ~~approve~~
the order passed in the matter.

By order

S/ 19/4 Secretary to Govt
Law department